

EXHIBIT 7



**United States Department of Justice
United States Attorney's Office
Western District of Texas**

903 San Jacinto Blvd., Suite 334
Austin, Texas 78701

(512) 916-5858

September 16, 2021

The City University of New York
205 East 42nd Street, 11th Floor
New York, NY 10017

Re: Records/Documents

Dear Sir or Madam:

Attached please find a Grand Jury Subpoena for records maintained by The City University of New York. The attached Grand Jury Subpoena requires The City University of New York to produce the requested documents to the Grand Jury.

In lieu of personally appearing before the Grand Jury, you may choose to deliver the subpoenaed documents to the agent listed on the subpoena attachment. If you choose to do so, please also: (i) provide us with an inventory of all materials you are producing; and (ii) read and sign the attached "Certification of Records of Regularly Conducted Activity," provided that the information in the certification is true and accurate. This Certification will excuse you from appearing before the Grand Jury, and will allow the materials to be admitted into evidence at trial without the need for testimony of a business records custodian from The City University of New York.

The Government prefers that you not disclose the existence of, or the fact of your compliance with, this subpoena, although there is no legal prohibition from doing so. Any such disclosure could impede the Grand Jury's investigation in this matter and thereby interfere with the enforcement of the law. In the event you do elect to disclose this subpoena, or the fact of your compliance with this subpoena, to any person or entity, we request that you notify me at 202-616-2634 or Andrew.Tyler@usdoj.gov prior to making any such disclosure.

Sincerely,

ASHLEY C. HOFF
UNITED STATES ATTORNEY

By: /s/Andrew Tyler
Andrew Tyler
Trial Attorney
Michael C. Galdo
Assistant United States Attorney

UNITED STATES DISTRICT COURT
for the
Western District of Texas

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

The City University of New York
205 East 42nd Street, 11th Floor
To: New York, NY 10017

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: UNITED STATES COURTHOUSE GRAND JURY ROOM #5600 501 W. 5th Street Austin, TX 78701	Date and Time: October 19, 2021 at 9:00 a.m.
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You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Any and all documents outlined in the attachment to this subpoena, which is incorporated herein and made a part thereof.

In lieu of personal appearance before the Grand Jury, you may comply with this subpoena by providing the requested documents to Andrew Tyler, U.S. Department of Justice, 1400 New York Avenue NW, Third Floor, Washington, DC 20530, 202-230-0667, Andrew.Tyler@usdoj.gov or FBI Special Agent Jeffrey Weeks, 601 4th St NW, Washington, DC 20535, 703-686-6143, jweeks@fbi.gov, prior to the date indicated.

Date: 09/16/2021



Jeannette J. Clark
CLERK OF COURT

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

ASHLEY C. HOFF
United States Attorney

Andrew Tyler
Trial Attorney
1400 New York Avenue NW, Third Floor,
Washington, DC 20530
Office:202-230-0667

PROOF OF SERVICE

This subpoena for (*name of individual or organization*) _____
was received by me on (*date*) _____.

' I served the subpoena by delivering a copy to the named person as follows: _____

_____ on (*date*) _____; or

' I returned the subpoena unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

The City University of New York
205 East 42nd Street, 11th Floor
New York, NY 10017

ATTACHMENT

(Grand Jury Subpoena Dated September 16, 2021)

I. INSTRUCTIONS

- A. In complying with this subpoena, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agent, employee, or representative acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
- B. No documents called for by this request shall be destroyed, modified, removed, transferred, or otherwise made inaccessible to the grand jury. If you have knowledge that any subpoenaed document has been destroyed, discarded, or lost, identify the subpoenaed document and provide an explanation of the destruction, discarding, loss, or disposal, and the date at which the document was destroyed, discarded, or lost.
- C. This subpoena is continuing in nature. Any document not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto with an explanation of why it was not located or discovered until the return date.
- D. If you believe any responsive documents are protected by a privilege, please provide a privilege log which (1) identifies any and all responsive documents to which the privilege is asserted, (2) sets forth the date, type, addressee(s), author(s), general subject matter, and indicated or known circulation of the document, and (3) states the privilege asserted in sufficient detail to ascertain the validity of the claim of privilege.
- E. Production with respect to each document shall include all electronic versions and data files from email applications, as well as from word processing, spreadsheet, database, or other electronic data repositories applicable to any attachments, and shall be provided to the grand jury where possible in its native file format and shall include all original metadata for each electronic document or data file.

II. DEFINITIONS

- A. **“Document”** means any written, recorded, or graphic material of any kind that is in your possession, custody, or control. The term includes, but is not limited to: contracts; agreements; letters; telegrams; interoffice communications; memoranda; notes; reports; analyses; worksheets; spreadsheets; notebooks; surveys; lists; outlines; schedules; pamphlets; newsletters; flyers; charts; logbooks; tabulations; compilations; studies; books; records; telephone books or messages; visitor books; calendar or diary entries; desk or appointment

calendars; drafts; business cards; minutes or meetings or conferences; notes or memos or other records of telephone or other conversations or communications; electronic transmissions (including emails, text messages, instant messaging, chat rooms, electronic bulletin boards); ledgers; financial statements; bank statements; bills or invoices; purchase orders; receipts; photographs; microfilm; microfiche; audio and video tape or disc recordings; and computer printouts. It also includes electronically stored data and electronic files, stored on file servers, e-mail servers, hard drives, or other electronic storage media within your control from which information can be obtained either directly or by translation through detection devices or readers. Any such document is to be produced in reasonably usable form, electronic, and searchable, along with instructions for reading the data. Any such electronically stored information must be preserved in its native format. The term "document" includes the original (or a copy thereof if the original is not available) and all copies that differ in any respect from the original or that bear any notation, marking, or information not on the original. "Document" shall also include all documents, materials, transmissions, and information, including Electronically Stored Information within the meaning of the Federal Rules of Civil Procedure.

- B. "**Electronically Stored Information**" or "**ESI**" shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, personal digital assistants ("PDAs"), computer tablets, or other mobile devices; or other storage media.
- C. "**Referring to**" or "**relating to**" shall mean discussing, describing, reflecting, regarding, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.
- D. The terms "**including**" and "**includes**" shall be construed broadly so that specification of any particular type of document shall not be construed to exclude other types of documents that are nevertheless responsive but not specifically identified.
- E. "**Communications**" refers to exchanges kept in any form, whether written, electronic, e-mail, text, telephone, or other, and is meant to be interpreted broadly in accordance with federal law.
- F. Entities identified by name, including The City University of New York ("CUNY") and Cassava Sciences, Inc. ("Cassava"), shall be construed broadly to include any subsidiary, affiliate, successor-in-interest, or related corporate entity, as well as any employee, representative, contractor, affiliate, or vendor.

III. REQUEST FOR DOCUMENTS

- A. For the period from January 1, 2018 to the present, all documents and communications – including but not limited to memoranda; letters; email communications; records and content of calls, text messages, voicemails, and other telephone or cellular phone correspondence; and attachments – related to:
1. Cassava's PT-125, PT-125DX, SavaDx, or Simufilam and their development, efficacy, safety, testing, and likelihood of approval by the Food and Drug Administration ("FDA"), including but not limited to the following:
 - a. all original membranes, films, images, or other captures of Western Blots made in connection with analysis with PT-125, PT-125DX, SavaDx, or Simufilam testing;
 - b. all file copies of Western Blots made in connection with analysis done in connection with PT-125, PT-125DX, SavaDx, or Simufilam testing;
 - c. all data created, collected, or analyzed in connection with PT-125, PT-125DX, SavaDx, or Simufilam testing; and
 - d. all analyses, reports, or findings made in connection with PT-125, PT-125DX, SavaDx, or Simufilam testing.
 2. Presentations made or complied on behalf of Cassava relating to PT-125, PT-125DX, SavaDx, or Simufilam, including but not limited to slide decks or posters shown to investors and the medical community and transcripts or recordings of conference calls or webcasts.
 3. Speeches, presentations, and data, including drafts of same, presented at the 2021 Alzheimer's Association International Conference ("AAIC"), and communications regarding planning for, and reaction to, Cassava's presentation at the 2021 AAIC.
 4. Documents sufficient to identify the relationship between CUNY, Cassava, and any other outside consultant or medical professional relating to PT-125, PT-125DX, SavaDx, or Simufilam, including any payments made to such organization(s) or individual(s).
 5. Contracts with Cassava, including but not limited to those involving Dr. Hoau-Yan Wang, regarding the development, testing, or efficacy of PT-125, PT-125DX, SavaDx, or Simufilam; and any findings, reports, or correspondence from such individuals regarding PT-125, PT-125DX, SavaDx, or Simufilam, to include communications with Cassava and Dr. Hoau-Yan Wang, Zhe Pei, or other CUNY students, employees, or agents.
 6. Communications, directly or indirectly, between Dr. Hoau-Yan Wang or others at CUNY and investors or analysts relating to PT-125, PT-125DX, SavaDx, or Simufilam.

7. Personnel files, resumes, and compensation records for CUNY employees, officers, and agents (to include all individuals with CUNY-issued authorized access to CUNY offices and laboratories) who worked on PT-125, PT-125DX, SavaDx, or Simufilam, including telephone directories and/or telephone lists containing the work, home, and mobile telephone numbers for those employees and officers.
8. Key card access records and security camera footage for CUNY employees, officers, and agents (to include all individuals with CUNY-issued authorized access to CUNY offices and laboratories) who worked on PT-125, PT-125DX, SavaDx, or Simufilam.
9. Codes of conduct or ethics in effect at CUNY's medical school.

IN LIEU OF YOUR PERSONAL APPEARANCE BEFORE THE GRAND JURY,
subpoenaed materials may be turned over to Andrew Tyler, U.S. Department of Justice, 1400 New York Avenue NW, Third Floor, Washington, DC 20530, telephone number 202-230-0667, email address Andrew.Tyler@usdoj.gov or FBI Special Agent Jeffrey Weeks, 601 4th St NW, Washington, DC 20535, telephone number 703-686-6143, email address jweeks@fbi.gov.

**CERTIFICATION OF RECORDS OF
REGULARLY CONDUCTED ACTIVITY**

STATE OF _____

§

COUNTY OF _____

§

BEFORE ME, the undersigned authority, personally appeared _____, who, being by me duly sworn and upon his/her oath, stated as follows:

1. My name is _____. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

2. I am employed by and/or associated with _____, in the position of _____, and by reason of my position am authorized and qualified to make this declaration, either as custodian of records or otherwise.

3. Attached hereto are _____ pages of original records or true and accurate copies of original records which:

- a. were made at or near the time of the occurrence of the matters set forth therein by, or from information transmitted by, a person with knowledge of those matters;
- b. were kept in the course of regularly conducted activity;
- c. were made by the regularly conducted activity as a regular practice; and
- d. if not original records, are true and accurate duplicates of original records.

AFFIANT

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, _____.
date month year

Notary Public
State of _____

Printed Name: _____

My commission expires on: _____



United States Department of Justice
United States Attorney's Office
Western District of Texas

903 San Jacinto Blvd., Suite 334
Austin, Texas 78701

(512) 916-5858

June 16, 2022

The City University of New York
205 East 42nd Street, 11th Floor
New York, NY 10017
C/o Sean C. Pippen, Associate General Counsel

Re: Records/Documents

Dear Mr. Pippen:

Attached please find a Grand Jury Subpoena for records maintained by The City University of New York. The attached Grand Jury Subpoena requires The City University of New York to produce the requested documents to the Grand Jury.

In lieu of personally appearing before the Grand Jury, you may choose to deliver the subpoenaed documents to the agent listed on the subpoena attachment. If you choose to do so, please also: (i) provide us with an inventory of all materials you are producing; and (ii) read and sign the attached "Certification of Records of Regularly Conducted Activity," provided that the information in the certification is true and accurate. This Certification will excuse you from appearing before the Grand Jury, and will allow the materials to be admitted into evidence at trial without the need for testimony of a business records custodian from The City University of New York.

The Government prefers that you not disclose the existence of, or the fact of your compliance with, this subpoena, although there is no legal prohibition from doing so. Any such disclosure could impede the Grand Jury's investigation in this matter and thereby interfere with the enforcement of the law. In the event you do elect to disclose this subpoena, or the fact of your compliance with this subpoena, to any person or entity, we request that you notify me at 202-355-5715 or Anna.Kaminska@usdoj.gov prior to making any such disclosure.

Sincerely,

ASHLEY C. HOFF
UNITED STATES ATTORNEY

By: /s/Anna Kaminska

Anna Kaminska
Andrew Tyler
Trial Attorneys
Michael C. Galdo
Assistant United States Attorney

UNITED STATES DISTRICT COURT
for the
Western District of Texas

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: The City University of New York
205 East 42nd Street, 11th Floor
New York, NY 10017

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: UNITED STATES COURTHOUSE GRAND JURY ROOM #5600 501 W. 5th Street Austin, TX 78701	Date and Time: June 24, 2022 at 9:00 a.m.
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You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Any and all documents outlined in the attachment to this subpoena, which is incorporated herein and made a part thereof.

In lieu of personal appearance before the Grand Jury, you may comply with this subpoena by providing the requested documents to Anna Kaminska, U.S. Department of Justice, 1400 New York Avenue, N.W., Third Floor, Washington, D.C. 20530, 202-355-5715, Anna.Kaminska@usdoj.gov, or FBI Special Agent Jeffrey Weeks, 601 4th St., N.W., Washington, D.C. 20535, 703-686-6143, jweeks@fbi.gov, prior to the date indicated.

Date: 6/16/2022



Jeannette J. Clark
CLERK OF COURT

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

ASHLEY C. HOFF
United States Attorney

Anna Kaminska
Trial Attorney
1400 New York Avenue, N.W., Third Floor,
Washington, D.C. 20530

PROOF OF SERVICE

This subpoena for (*name of individual or organization*) _____
was received by me on (*date*) _____.

' I served the subpoena by delivering a copy to the named person as follows: _____

_____ on (*date*) _____; or

' I returned the subpoena unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc:

The City University of New York
205 East 42nd Street, 11th Floor
New York, NY 10017

ATTACHMENT
(Grand Jury Subpoena Dated June 16, 2022)

I. INSTRUCTIONS

- A. In complying with this subpoena, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agent, employee, or representative acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
- B. No documents called for by this request shall be destroyed, modified, removed, transferred, or otherwise made inaccessible to the grand jury. If you have knowledge that any subpoenaed document has been destroyed, discarded, or lost, identify the subpoenaed document and provide an explanation of the destruction, discarding, loss, or disposal, and the date at which the document was destroyed, discarded, or lost.
- C. This subpoena is continuing in nature. Any document not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto with an explanation of why it was not located or discovered until the return date.
- D. If you believe any responsive documents are protected by a privilege, please provide a privilege log which (1) identifies any and all responsive documents to which the privilege is asserted, (2) sets forth the date, type, addressee(s), author(s), general subject matter, and indicated or known circulation of the document, and (3) states the privilege asserted in sufficient detail to ascertain the validity of the claim of privilege.
- E. Production with respect to each document shall include all electronic versions and data files from email applications, as well as from word processing, spreadsheet, database, or other electronic data repositories applicable to any attachments, and shall be provided to the grand jury where possible in its native file format and shall include all original metadata for each electronic document or data file.

II. DEFINITIONS

- A. **“Document”** means any written, recorded, or graphic material of any kind that is in your possession, custody, or control. The term includes, but is not limited to: contracts; agreements; letters; telegrams; interoffice communications; memoranda; notes; reports; analyses; worksheets; spreadsheets; notebooks; surveys; lists; outlines; schedules; pamphlets; newsletters; flyers; charts; logbooks; tabulations; compilations; studies; books; records; telephone books or messages; visitor books; calendar or diary entries; desk or appointment

calendars; drafts; business cards; minutes or meetings or conferences; notes or memos or other records of telephone or other conversations or communications; electronic transmissions (including emails, text messages, instant messaging, chat rooms, electronic bulletin boards); ledgers; financial statements; bank statements; bills or invoices; purchase orders; receipts; photographs; microfilm; microfiche; audio and video tape or disc recordings; and computer printouts. It also includes electronically stored data and electronic files, stored on file servers, e-mail servers, hard drives, or other electronic storage media within your control from which information can be obtained either directly or by translation through detection devices or readers. Any such document is to be produced in reasonably usable form, electronic, and searchable, along with instructions for reading the data. Any such electronically stored information must be preserved in its native format. The term "document" includes the original (or a copy thereof if the original is not available) and all copies that differ in any respect from the original or that bear any notation, marking, or information not on the original. "Document" shall also include all documents, materials, transmissions, and information, including Electronically Stored Information within the meaning of the Federal Rules of Civil Procedure.

- B. "**Electronically Stored Information**" or "**ESI**" shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, personal digital assistants ("PDAs"), computer tablets, or other mobile devices; or other storage media.
- C. "**Referring to**" or "**relating to**" shall mean discussing, describing, reflecting, regarding, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.
- D. The terms "**including**" and "**includes**" shall be construed broadly so that specification of any particular type of document shall not be construed to exclude other types of documents that are nevertheless responsive but not specifically identified.
- E. "**Communications**" refers to exchanges kept in any form, whether written, electronic, e-mail, text, telephone, or other, and is meant to be interpreted broadly in accordance with federal law.
- F. Entities identified by name, including The City University of New York ("CUNY"), shall be construed broadly to include any subsidiary, affiliate, successor-in-interest, or related corporate entity, as well as any employee, representative, contractor, affiliate, or vendor.

III. REQUEST FOR DOCUMENTS

1. Any and all forensic images of devices captured from the laboratory and/or offices of Dr. Hoau-Yan Wang, his employees, and/or agents, including images preserved from desktop computers and/or laptops backed up on or about September 10, 2021 and October 6, 2021.

IN LIEU OF YOUR PERSONAL APPEARANCE BEFORE THE GRAND JURY,
*subpoenaed materials may be turned over to Anna Kaminska, U.S. Department of Justice,
1400 New York Avenue, N.W., Third Floor, Washington, D.C. 20530, telephone number
202-355-5715, email address Anna.Kaminska@usdoj.gov, or FBI Special Agent Jeffrey
Weeks, 601 4th St., N.W., Washington, D.C. 20535, telephone number
703-686-6143, email address jweeks@fbi.gov.*

**CERTIFICATION OF RECORDS OF
REGULARLY CONDUCTED ACTIVITY**

STATE OF _____

§

COUNTY OF _____

§

BEFORE ME, the undersigned authority, personally appeared _____, who, being by me duly sworn and upon his/her oath, stated as follows:

1. My name is _____. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

2. I am employed by and/or associated with _____, in the position of _____, and by reason of my position am authorized and qualified to make this declaration, either as custodian of records or otherwise.

3. Attached hereto are _____ pages of original records or true and accurate copies of original records which:

- a. were made at or near the time of the occurrence of the matters set forth therein by, or from information transmitted by, a person with knowledge of those matters;
- b. were kept in the course of regularly conducted activity;
- c. were made by the regularly conducted activity as a regular practice; and
- d. if not original records, are true and accurate duplicates of original records.

AFFIANT

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, _____.
date month year

Notary Public
State of _____

Printed Name: _____

My commission expires on: _____



Michael C. Galdo
Assistant United States Attorney

903 San Jacinto Boulevard, Suite 334
Austin, Texas 78701

Phone: (512) 916-5858

March 21, 2023

Research Foundation of The City University of New York
230 West 41st Street
New York, NY 10036

RE: Grand Jury Subpoena

Dear Madam/Sir:

You or your related entity have been served with a Grand Jury subpoena requesting records pertaining to an ongoing federal criminal investigation.

The custodian of the records, or other authorized individual, is authorized to comply with this subpoena by providing the records which are the subject of this grand jury subpoena as directed pursuant to the attached Guidelines for Electronic Documents, Audio, and Video,together with the completed and signed Certificate of Authenticity.

Because these are records sought by subpoena in connection with a criminal investigation, any disclosure of the existence of this subpoena or the nature of the records requested may jeopardize the on-going federal criminal investigation, including the safety of witnesses and investigators involved in the matter. As such, the U.S. Attorney's Office requests you keep these matters confidential.

Thank you in advance for your cooperation and full compliance in this matter.

Sincerely,

JAIME ESPARZA
UNITED STATES ATTORNEY

By: /s/ Andrew Tyler
Andrew Tyler
Anna Kaminska
Trial Attorneys
Michael C. Galdo
Assistant United States Attorney

Enclosures:

Grand Jury Subpoena
Certificate of Authenticity
Guidelines for Electronic Documents, Audio, and Video.

UNITED STATES DISTRICT COURT
 for the
Western District of Texas

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Research Foundation of The City University of New York
 230 West 41st Street
 New York, NY 10036

YOU ARE COMMANDED TO APPEAR IN THIS UNITED STATES DISTRICT COURT AT THE TIME, DATE, AND PLACE SHOWN BELOW TO TESTIFY BEFORE THE COURT'S GRAND JURY. WHEN YOU ARRIVE, YOU MUST REMAIN AT THE COURT UNTIL THE JUDGE OR A COURT OFFICER ALLOWS YOU TO LEAVE.

Place: UNITED STATES COURTHOUSE GRAND JURY ROOM #5600 501 W. 5TH STREET AUSTIN, TX 78701	DATE: May 2, 2023 TIME: 9:00 A.M.
---	--

YOU MUST ALSO BRING WITH YOU THE FOLLOWING DOCUMENTS, ELECTRONICALLY STORED INFORMATION, OR OBJECTS: **SEE ATTACHMENT**.

IN LIEU OF PERSONAL APPEARANCE BEFORE THE GRAND JURY, YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED DOCUMENTS TO ANDREW TYLER, U.S. DEPARTMENT OF JUSTICE, 1400 NEW YORK AVENUE NW, THIRD FLOOR, WASHINGTON, DC 20530, 202-230-0667, ANDREW.TYLER@USDOJ.GOV OR FBI SPECIAL AGENT JEFFREY WEEKS, 601 4TH ST NW, WASHINGTON, DC 20535, 703-686-6143, JWEEKS@FBI.GOV, PRIOR TO THE DATE INDICATED.

Please direct all questions and correspondence to Special Agent Jeffrey Weeks, Federal Bureau of Investigation at (703)686-6143 or jweeks@fbi.gov.

NOTE: BECAUSE UNTIMELY DISCLOSURE OF THIS SUBPOENA WOULD BE LIKELY TO INTERFERE WITH AN INVESTIGATION, PLEASE DO NOT DISCLOSE THIS SUBPOENA TO ANYONE.

Date: March 21, 2023



Philip J. Dale
 CLERK OF COURT

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

ANDREW R. TYLER, TRIAL ATTORNEY
 UNITED STATES DEPARTMENT OF JUSTICE
 CRIMINAL DIVISION, FRAUD SECTION
 1400 NEW YORK AVENUE, N.W.
 WASHINGTON, D.C. 20005
 (202) 616-2634

PROOF OF SERVICE

This subpoena for (*name of individual or organization*) _____
was received by me on (*date*) _____

- I served the subpoena by delivering a copy to the named person as follows: _____

_____ on (*date*) _____ ; or
 I returned the subpoena unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

ATTACHMENT TO THE SUBPOENA

Research Foundation of The City University of New York
230 West 41st Street
New York, NY 10036

I. INSTRUCTIONS

- A. In complying with this subpoena, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agent, employee, or representative acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
- B. No documents called for by this request shall be destroyed, modified, removed, transferred, or otherwise made inaccessible to the grand jury. If you have knowledge that any subpoenaed document has been destroyed, discarded, or lost, identify the subpoenaed document and provide an explanation of the destruction, discarding, loss, or disposal, and the date at which the document was destroyed, discarded, or lost.
- C. This subpoena is continuing in nature. Any document not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto with an explanation of why it was not located or discovered until the return date.
- D. If you believe any responsive documents are protected by a privilege, please provide a privilege log which (1) identifies any and all responsive documents to which the privilege is asserted, (2) sets forth the date, type, addressee(s), author(s), general subject matter, and indicated or known circulation of the document, and (3) states the privilege asserted in sufficient detail to ascertain the validity of the claim of privilege.
- E. Production with respect to each document shall include all electronic versions and data files from email applications, as well as from word processing, spreadsheet, database, or other electronic data repositories applicable to any attachments, and shall be provided to the grand jury where possible in its native file format and shall include all original metadata for each electronic document or data file.

II. DEFINITIONS

- A. **“Document”** means any written, recorded, or graphic material of any kind that is in your possession, custody, or control. The term includes, but is not limited to: contracts; agreements; letters; telegrams; interoffice communications; memoranda; notes; reports; analyses; worksheets; spreadsheets; notebooks; surveys; lists; outlines; schedules; pamphlets; newsletters; flyers; charts; logbooks; tabulations; compilations; studies; books; records; telephone books or messages; visitor books; calendar or diary entries; desk or appointment calendars; drafts; business cards; minutes or meetings or conferences; notes or memos or other records of telephone or other conversations or communications; electronic transmissions (including emails, text messages, instant messaging, chat rooms, electronic bulletin boards); ledgers; financial statements; bank statements; bills or invoices; purchase orders; receipts; photographs; microfilm; microfiche; audio and video tape or disc recordings; and computer printouts. It also includes electronically stored data and electronic files, stored on file servers, e-mail servers, hard drives, or other electronic storage media within your control from which information can be obtained either directly or by translation through detection devices or readers. Any such document is to be produced in reasonably usable form, electronic, and searchable, along with instructions for reading the data. Any such electronically stored information must be preserved in its native format. The term “document” includes the original (or a copy thereof if the original is not available) and all copies that differ in any respect from the original or that bear any notation, marking, or information not on the original. “Document” shall also include all documents, materials, transmissions, and information, including Electronically Stored Information within the meaning of the Federal Rules of Civil Procedure.

- B. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, personal digital assistants (“PDAs”), computer tablets, or other mobile devices; or other storage media.
- C. **“Referring to”** or **“relating to”** shall mean discussing, describing, reflecting, regarding, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.
- D. The terms **“including”** and **“includes”** shall be construed broadly so that specification of any particular type of document shall not be construed to exclude other types of documents that are nevertheless responsive but not specifically identified.
- E. **“Communications”** refers to exchanges kept in any form, whether written, electronic, e-mail, text, telephone, or other, and is meant to be interpreted broadly in accordance with federal law.
- F. Entities identified by name, including Research Foundation of the City University of New York (“RFCUNY”), Cassava Sciences, Inc. (“Cassava”), and Pain Therapeutics, Inc. (“PTI”) shall be construed broadly to include any subsidiary, affiliate, successor-in-interest, or related corporate entity, as well as any employee, representative, contractor, affiliate, or vendor.

III. REQUEST FOR DOCUMENTS

A. For the period from January 1, 2010 to the present:

1. Documents sufficient to identify all payments made to RFCUNY by Cassava, PTI, or any related entity, including payments made in connection with grants awarded by the National Institutes of Health.
2. Contracts with Cassava or PTI, including but not limited to those involving Dr. Hoau-Yan Wang, regarding the development, testing, or efficacy of PTI-125, PT-125DX, SavaDx, or Simufilam.
3. Personnel files and compensation records for RFCUNY employees, agents, and officers who worked in Dr. Hoau-Yan Wang’s laboratory on PT-125, PT-125DX, SavaDx, or Simufilam, including Dr. Hoau-Yan Wang, Dr. Zhe Pei, Dr. Kuo-Chieh Lee, Dr. Amber Kahn, and Dr. Kalindi Bakshi.

IN LIEU OF PERSONAL APPEARANCE BEFORE THE GRAND JURY, YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED DOCUMENTS TO ANDREW TYLER, U.S. DEPARTMENT OF JUSTICE, 1400 NEW YORK AVENUE NW, THIRD FLOOR, WASHINGTON, DC 20530, 202-230-0667, ANDREW.TYLER@USDOJ.GOV OR FBI SPECIAL AGENT JEFFREY WEEKS, 601 4TH ST NW, WASHINGTON, DC 20535, 703-686-6143, JWEEKS@FBI.GOV, PRIOR TO THE DATE INDICATED.

CERTIFICATE OF AUTHENTICITY OF DOMESTIC
RECORDS PURSUANT TO FEDERAL RULES OF
EVIDENCE 902(11) AND 902(13)

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by _____ [PROVIDER], and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of _____ [PROVIDER]. The attached records consist of _____ [GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]. I further state that:

a. All records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted activity of _____ [PROVIDER], and they were made by _____ [PROVIDER] as a regular practice; and

b. Such records were generated by _____ [PROVIDER'S] electronic process or system that produces an accurate result, to wit:

1. The records were copied from electronic device(s), storage medium(s), or file(s) in the custody of _____ [PROVIDER] in a manner to ensure that they are true duplicates of the original records; and

2. The process or system is regularly verified by _____ [PROVIDER], and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Date

Signature

GUIDELINES FOR ELECTRONIC DOCUMENTS, AUDIO, AND VIDEO

You are providing items that will be electronically organized with other documents and files. To facilitate this process, and make the information you provide useful, it is important that the information be provided in **standard electronic format**.

PREFERRED FORMAT FOR ELECTRONIC DOCUMENTS

- We strongly discourage you from providing the documents in proprietary formats that require the use of specialized software to decrypt, view, or export the documents into useable formats. If you must use this format see the guidelines below.
- Documents should be provided in native format (see table below.)
- If native format is not available or is not in the table below as a preferred format, then provide documents in PDF or multi-page TIF format.
 - One PDF or TIF file per document.
 - No embedded files within PDF files.
 - Printing and editing of PDF files must not be restricted.
 - No proprietary viewers.
 - Encryption, if used, should be in WinZip, True Crypt, or PDF format.

Type of Document	Preferred Format	Acceptable Format
Word Processor	DOC, DOCX, WPD, TXT	TXT, RTF, PDF, Multipage TIF
Spreadsheet	XLS, XLSX, CSV	
Email	PST, EML, MSG	
Database	PDF, TIF, JPG	
Pictures	JPG, PNG, TIFF, PDF	

PREFERRED FORMAT FOR AUDIO AND VIDEO FILES

- Do not provide audio or video in proprietary format that requires the use of specialized software to view or export the audio or video into useable formats.

Type of Document	Preferred Format	Acceptable Format
Audio	WAV, MP3	CDA(CD Audio Format)
Video	AVI, WMV, MPG	DVD Movie Format (AUDIO_TS and/or VIDEO_TS folders)

PROPRIETARY SOFTWARE FOR VIEWING DOCUMENTS, AUDIO, OR VIDEO FILES (if you must)

- **Do not** provide any items in any proprietary format that requires **the installation of software** on our computers.
- Standalone viewers that can run **without being installed** are acceptable **only if they provide an easy method for exporting the items into the standard electronic formats** indicated above. We prefer not to use the viewers as it takes substantially more time to review these documents.

IF YOU CANNOT MEET THESE REQUIREMENTS, OR YOU HAVE QUESTIONS

Please contact the Requesting AUSA if you have questions or if there is a compelling reason why the electronic records cannot be provided in one of these formats.